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OFFICE OF PETITIONS

In re Application of
Carsten Rohr et al.
Application No.09/955,297
Filed: September 19, 2001
Attorney Docket No.: SCS-550-269

ON PETITION

This is a decision on the petition filed February 28, 2007, under 37 CFR 1.181, to withdraw the holding of abandonment for the above-identified application.

The petition under 37 CFR 1.181 is **GRANTED**.

This application was held abandoned on February 9, 2007 and a Notice of Abandonment was mailed February 22, 2007, for the appellant's failure to timely take action after the Board of Patent Appeals and Interferences decision rendered December 8, 2006.

Petitioner asserts that a response was filed and, in support, petitioner has submitted, *inter alia*, a copy of the response in the form of a "Request For Rehearing Under 37 CFR § 41.52(a)(1)" filed February 8, 2007 and a copy of a post card receipt date stamped February 8, 2007 by the USPTO.

A search of the application file and the USPTO records reveals that in fact the "Request For Rehearing Under 37 CFR § 41.52(a)(1)" was filed on February 8, 2007 and is of record. Accordingly, the Notice of Abandonment mailed February 22, 2007 was mailed in error and is hereby withdrawn. No petition fee is due and none has been charged.

This matter will be referred to Technology Center 3683 for appropriate action on the "Request For Rehearing Under 37 CFR § 41.52(a)(1)" filed February 8, 2007.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball
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Office of Petitions